

§ 947.1

- 947.85 Derogation.
- 947.86 Personal liability.
- 947.87 Separability.
- 947.88 Amendments.

Subpart—Rules and Regulations

GENERAL

- 947.100 Communications.

DEFINITIONS

- 947.110 Order.
- 947.111 Marketing agreement.
- 947.112 Terms.
- 947.113 Area determinations.

EXEMPTIONS

- 947.120 Hardship exemption.
- 947.123 Reports and records.

SAFEGUARDS

- 947.130 Special Purpose Certificates—application and issuance.
- 947.132 Reports.
- 947.133 Denial and appeals.
- 947.134 Establishment of list of manufacturers of potato products.
- 947.141 Late payment and interest charges.

REESTABLISHMENT OF DISTRICTS

- 947.150 Reestablishment of districts.
- 947.160 Reapportionment of committee membership.

Subpart—Assessment Rates

- 947.247 Assessment rate.

Subpart—Handling Regulations

- 947.340 Handling regulation.

AUTHORITY: 7 U.S.C. 601-674.

Subpart—Order Regulating Handling

SOURCE: 20 FR 7068, Sept. 21, 1955, unless otherwise noted. Redesignated at 26 FR 12751, Dec. 30, 1961.

DEFINITIONS

§ 947.1 Secretary.

Secretary means the Secretary of Agriculture of the United States or any officer or employee of the United States Department of Agriculture to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

7 CFR Ch. IX (1-1-97 Edition)

§ 947.2 Act.

Act means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 *et seq.*; 68 Stat. 906, 907, 1047).

§ 947.3 Person.

Person means an individual, partnership, corporation, association, or any organized group or business unit.

§ 947.4 Production area.

Production area means and includes Modoc and Siskiyou Counties in the State of California, and all counties, except Malheur, in the State of Oregon.

§ 947.5 Potatoes.

Potatoes means all varieties of Irish potatoes grown within the aforesaid production area.

§ 947.6 Handler.

Handler is synonymous with *shipper* and means any person (except a common or contract carrier of potatoes owned by another person) who ships potatoes or causes potatoes to be shipped.

[35 FR 10741, July 2, 1970]

§ 947.7 Handle.

Handle is synonymous with *ship* and means to sell, transport, or in any other way to place potatoes, or cause potatoes to be placed in the current of the commerce within the production area or between the production area and any point outside thereof, or from any point in the adjoining States of Idaho and Washington and Malheur County, Oreg., to any other point: *Provided*, That the definition of “handle” shall not include the transportation of ungraded potatoes within the district where they were grown for the purpose of having such potatoes prepared for market, or stored, except that the committee may impose safeguards, pursuant to § 947.55 with respect to such potatoes.

[35 FR 10741, July 2, 1970]

§ 947.8 Producer.

Producer is synonymous with *grower* and means any person engaged in a

Agricultural Marketing Service, USDA

§ 947.25

proprietary capacity in the production of potatoes for market.

[35 FR 10741, July 2, 1970]

§ 947.9 Fiscal period.

Fiscal period means the period beginning and ending on the dates approved by the Secretary pursuant to recommendations by the committee.

§ 947.10 Committee.

Committee means the administrative committee, called the Oregon-California Potato Committee, established pursuant to § 947.25.

§ 947.11 Varieties.

Varieties means and includes all classifications or subdivisions of Irish potatoes according to those definitive characteristics now or hereafter recognized by the United States Department of Agriculture.

§ 947.12 Seed potatoes.

Seed potatoes means and includes all potatoes officially certified and tagged, marked or otherwise appropriately identified under the supervision of the official seed potato certifying agency of the State from which the potatoes are shipped, or other seed certification agencies which the Secretary may recognize.

§ 947.14 Pack.

Pack means a unit of potatoes in any type of container and which falls within specific weight limits or within specific grade limits recommended by the committee and approved by the Secretary.

§ 947.15 Grade and size.

Grade means any one of the officially established grades of potatoes, and *size* means any one of the officially established sizes of potatoes, as defined and set forth in:

(a) The U.S. Standards for Potatoes issued by the U.S. Department of Agriculture (§§ 51.1540 to 51.1556 of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(b) U.S. Consumer Standards for Potatoes as issued by the U.S. Department of Agriculture (§§ 51.1575 to 51.1587

of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(c) U.S. Standards for Grades of Potatoes for Processing as issued by the U.S. Department of Agriculture (§§ 51.3410 to 51.3424 of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(d) U.S. Standards for Grades of Peeled Potatoes (§§ 52.2421 to 52.2433 of this title), or amendments thereto, or modifications thereof, or variations based thereon; and

(e) Standards for potatoes issued by the State of Oregon or California, or amendments thereto, or modifications thereof, or variations based thereon.

[35 FR 10741, July 2, 1970]

§ 947.16 Grading.

Grading is synonymous with *preparing for market* which means the sorting or separating of potatoes into grades and sizes for market purposes.

§ 947.17 Export.

Export means shipment of potatoes beyond the boundaries of continental United States.

§ 947.18 District.

District means each one of the geographical divisions of the production area established pursuant to § 947.32.

ADMINISTRATIVE COMMITTEE

§ 947.25 Establishment and membership.

(a) The Oregon-California Potato Committee consisting of 14 members, of whom nine shall be producers and five shall be handlers, is hereby established. For each member of the committee there shall be an alternate who shall have the same qualifications as the member.

(b) An alternate member of the committee shall act in the place and stead of the member for whom he is an alternate during such member's absence. In the event of the death, removal, resignation, or disqualification of a member his alternate shall act for him until